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GENERAL ORDERS, }

No. 128.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

*Washington, March 30, 1864.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas it has become necessary to define the cases in which insurgent enemies are entitled to the benefits of the Proclamation of the President of the United States, which was made on the eighth day of December, 1863, and the manner in which they shall proceed to avail themselves of those benefits;

And whereas the objects of that Proclamation were to suppress the insurrection and to restore the authority of the United States; and whereas the amnesty therein proposed by the President was offered with reference to these objects alone:

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, do hereby proclaim and declare that the said Proclamation does not apply to the cases of persons who, at the time when they seek to obtain the benefits thereof by taking the oath thereby prescribed, are in military, naval, or civil confinement or custody, or under bonds, or on parole of the civil, military, or naval authorities, or agents of the United States, as prisoners of war, or persons detained for offenses of any kind, either before or after conviction; and that, on the contrary, it does apply only to those persons who, being yet at large and free from any arrest, confinement, or duress, shall voluntarily come forward and take the said oath, with the purpose of restoring peace and establishing the national authority. Prisoners excluded from the amnesty offered in the said Proclamation may apply to the President for clemency, like all other offenders, and their applications will receive due consideration.

I do further declare and proclaim that the oath prescribed in the aforesaid Proclamation of the eighth of December, 1863, may be taken and subscribed before any commissioned officer, civil, military, or naval, in the service of the United States, or any civil or military officer of a State or Territory not in insurrection, who, by the laws thereof, may be qualified for administering oaths. All officers who receive such oaths are hereby authorized to give certificates thereon to the persons respectively by whom they are made. And such officers are hereby required

to transmit the original records of such oaths, at as early a day as may be convenient, to the Department of State, where they will be deposited and remain in the archives of the Government. The Secretary of State will keep a register thereof, and will, on application in proper cases, issue certificates of such records in the customary form of official certificates.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, the twenty-sixth day of March, in  
[L. S.] the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,  
*Secretary of State.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*